

DETAILED ACTION
EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brinton Yorks on 9/25/08. The application has been amended as follows:

In claim 1, line 5, after "electricity" insert --for a defibrillation shock--.

In claim 1, line 6, replace "included" with --electrically coupled--.

In claim 1, line 6, replace "when an" with --when the associated--.

In claim 8, line 3, after "defibrillator" insert --for sensing a patient electrical characteristic or delivering electricity for a defibrillation shock, the external defibrillator--.

In claim 8, line 3, after "element" insert --electrically coupled with at least one of the electrodes and--.

In claim 14, line 2, replace "including" with --for sensing a patient electrical characteristic or delivering electricity for a defibrillation shock which includes--.

In claim 14, line 3, after "element" insert --electrically coupled to the electrode pad--.

Allowable Subject Matter

Claims 1, 3-6, 8, 14 and 19-23 are allowed.

The following is an examiner's statement of reasons for allowance:

An apparatus or method for providing a defibrillator electrode structure or packaging comprising an impedance element electrically coupled to the electrode as claimed are not taught nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Groenke et al (US 6,125,299) disclose a defibrillator having conducting layers and a force sensor that is inversely proportional to the impedance existing between the conducting layers. The force sensor is disclosed as being separate from the defibrillator electrodes and it does not appear obvious nor would one of ordinary skill in the art be motivated to electrically connect the force sensor to the defibrillator electrodes because the function of the sensor is intended for sensing the force of a rescue person's hand pressure on the patient's chest for CPR. To electrically combine the force sensor with the defibrillator electrode as disclosed in Groenke et al would render the device inoperative due to the high defibrillation voltages produced by the defibrillator and would further seem to subject the rescue person to a dangerous shock.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (571) 272-4952.

/George Manuel /
George Manuel
Primary Examiner
Art Unit: 3762

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